

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JUDGE JEFFERSON GRIFFIN,

Plaintiff,

v.

NORTH CAROLINA STATE
BOARD OF ELECTIONS,

Defendant.

and

ALLISON RIGGS, et al.,

Intervenor-Defendants

Case No. 5:24-CV-00731-M

NORTH CAROLINA
DEMOCRATIC PARTY,

Plaintiff,

v.

NORTH CAROLINA STATE
BOARD OF ELECTIONS, et al.,

Defendants.

Case No. 5:24-CV-00699-M

CARRIE CONLEY, et al.

Plaintiffs,

v.

ALAN HIRSCH, et al.

Defendants.

Case No. 5:25-CV-00193-M

This matter comes before the court sua sponte. The court has reviewed the parties' briefs and identified no issues of material fact. Given the unique circumstances and procedural posture of this consolidated action, the court intends to treat the parties' briefs as cross-motions for summary judgment and enter summary judgment for one or more parties pursuant to Rule 56(f)(3) of the Federal Rules of Civil Procedure. Fed. R. Civ. P. 56(f)(3) (permitting court to "consider summary judgment on its own" after "giving notice and a reasonable time to respond").

Accordingly, on or before May 2, 2025, the parties SHALL provide notice to the court of (1) any material facts they believe remain genuinely in dispute, (2) whether they have any objection to the court treating their briefing as cross-motions for summary judgment, and (3) whether they require more time to "come forward with all of [their] evidence." *Celotex Corp. v. Catrett*, 477 U.S. 317, 326 (1986) (recognizing district court's authority to grant summary judgment sua sponte); *U.S. Dev. Corp. v. Peoples Fed. Sav. & Loan Ass'n*, 873 F.2d 731, 735 (4th Cir. 1989); *Amzura Enters., Inc. v. Ratcher*, 18 F. App'x 95, 104–05 (4th Cir. 2001). The court wants to rule promptly in this matter but does not wish to deprive any party of the opportunity to put forward its best case.

SO ORDERED this 30th day of April, 2025.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE